

22
No. 93-714-CFX
Status: GRANTED

Title: U.S. Bancorp Mortgage Company, Petitioner
v.
Bonner Mall Partnership

Docketed:
November 2, 1993

Court: United States Court of Appeals for
the Ninth Circuit

Counsel for petitioner: Anderson, Bradford

Counsel for respondent: Shulkin, Jerome, Elsaesser, Ford,
Pachulski, Issac M.

Ptn due & mld 11-2-93, see ml label re dkt dt.

Entry	Date	Note	Proceedings and Orders
1	Nov 2 1993	G	Petition for writ of certiorari filed.
2	Nov 30 1993		Brief of respondent Bonner Mall Partnership in opposition filed.
4	Dec 3 1993		Brief amicus curiae of American Council of Life Insurance filed.
3	Dec 8 1993		DISTRIBUTED. January 7, 1994 (Page 17)
5	Jan 10 1994		Petition GRANTED. *****
6	Feb 14 1994		Record filed.
		*	Original proceedings United States District Court for the District of Idaho.
7	Feb 15 1994		Record filed.
		*	Partial proceedings United States Court of Appeals for the Ninth Circuit.
8	Feb 22 1994		Brief amicus curiae of Charles W. Adams filed.
9	Feb 24 1994		Brief amicus curiae of United States filed.
10	Feb 24 1994	G	Motion of American College of Real Estate Lawyers for leave to file a brief as amicus curiae filed.
12	Feb 24 1994		Joint appendix filed.
13	Feb 24 1994		Brief of petitioner U.S. Bancorp Mortgage Company filed.
14	Feb 24 1994		Brief amici curiae of American Council of Life Insurance, et al. filed.
19	Feb 24 1994	X	Brief amici curiae of California Bankers Association, et al. filed.
11	Mar 1 1994	G	Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.
17	Mar 4 1994		CIRCULATED.
15	Mar 7 1994		Motion of American College of Real Estate Lawyers for leave to file a brief as amicus curiae GRANTED.
16	Mar 7 1994		Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.
20	Mar 15 1994		Suggestion of mootness filed by respondent.
21	Mar 15 1994		Response filed by petitioner to respondent's Suggestion of Mootness.
22	Mar 16 1994		Reply filed by respondent to petitioner's response to Suggestion of Mootness.
25	Mar 17 1994		Order extending time to file brief of respondent on the

2/94

Entry	Date	Note	Proceedings and Orders
			merits until April 1, 1994.
27	Mar 17 1994	X	Reply brief of petitioner in support of request to vacate decision below filed.
26	Mar 21 1994		DISTRIBUTED. March 25, 1994 (Page 15)
28	Mar 28 1994		This case is removed for the April 1994 argument calendar. The memorandum of respondent suggesting that the case is moot filed March 15, 1994 is set for briefing and oral argument in accordance with Rules 24, 25, and 28 of the Rules of this Court. The parties are directed to brief and argue the following question: Should the rule announced in <i>United States v. Munsingwear</i> , 340 U.S. 36 (1950), extend to cases that become moot in this Court because of the voluntary settlement of the parties?
31	Mar 29 1994		LODGING by amici curiae Credit Managers Association of California, et al. Twelve copies of amici brief.
29	Apr 4 1994		LODGING by respondent. Ten copies of respondent's brief.
30	Apr 4 1994		LODGING by amicus curiae Wabash Valley Power Association Twelve copies of amicus brief.
33	May 10 1994		Order extending time to file brief of petitioner on the merits until May 17, 1994.
34	May 12 1994		Brief amicus curiae of United States filed.
37	May 16 1994		Brief of petitioner U.S. Bancorp Mortgage Company filed.
35	May 17 1994	G	Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.
38	Jun 6 1994		Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.
39	Jun 15 1994		Brief amici curiae of Izumi Seimtsu Kogyo Kabushiki Kaisha, et al. filed.
40	Jun 15 1994		Brief amicus curiae of Trial Lawyers for Public Justice, P.C. filed.
41	Jun 15 1994		Brief of respondent Bonner Mall Partnership filed.
42	Jul 15 1994		CIRCULATED.
43	Jul 20 1994	X	Reply brief of petitioner filed.
44	Jul 20 1994		SET FOR ARGUMENT TUESDAY, OCTOBER 4, 1994. (2ND CASE).
45	Sep 13 1994		LODGING by respondent. Ten copies of UCLA Law Review Article, "Whose Judgment? Vacting Judgments, Preferences for Settlement, and the Role of Adjudication at the Close of the Twentieth Century." (Circulated 9/13/94)